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October 3, 2023

Hon. John L. Sinatra, Jr.
US District Court for the Western District of New York
2 Niagara Square
Buffalo, New York 14202

Re: ***Bernard vs. Town of Evans, et. al.***
1:21-cv-01162-JLS-LGF

Your Honor:

Please allow this to serve as the parties' joint status report pursuant to the Text Order filed on September 25, 2023 (Dkt. 22).

At this time, paper discovery has been completed and the parties have been deposed. Plaintiff has disclosed his expert witness together with his expert's report and no dispositive motions were filed.

Although our initial attempt at mediation was unsuccessful, Plaintiff's counsel and I have continued to discuss the possibility of settlement. In fact, I received a new demand in response to the most recent offer as of today, October 3, 2023, and anticipate continuing settlement discussions.

Thank you for your courtesies.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer L. Rodgers".

Jennifer L. Rodgers, Esq.
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cc: Robert A. Scalione, Esq.